

### **REMARKS**

Applicant reaffirms its decision to elect claims 6-11 in response to the restriction requirement. Applicant notes with appreciation the Examiner's suggestion regarding adding section headings to the specification. If the Examiner finds the subject matter of the claims to be allowable, but objects to the specification for lacking section headings, Applicant will make the appropriate correction at that time.

### **In the Claims**

Upon entry of this paper, claims 6-11 will be pending and under consideration. Claims 6 has been amended. Support for the amendment to claim 1 can be found in the claims as originally filed, in at least Figures 1-8 and their corresponding text, and in the original application as filed.

The outstanding issues are discussed below in the order in which they appear in the Office action.

### **Rejections Under 35 U.S.C. §112**

Claims 6-11 were rejected under 35 U.S.C. §112 for failing to point out and distinctly claim the subject matter Applicant regards as his invention.

Claim 6 has been amended to correct antecedent basis. Applicant respectfully requests that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

### **Rejections Under 35 U.S.C. §102**

Claims 6 and 10 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Japanese Patent JP8061329 to Noriyuki. In particular, the Office action suggests that Noriyuki discloses a method of producing a gusset structure according to the method claimed by Applicant.

Claim 6 recites in relevant part "inserting one end of a second hollow section into the facing ends of the first hollow section; and integrally connecting the one end of the second hollow section with edge regions of the facing ends of the first hollow section to form the Y-shaped gusset structure."

In contrast, Noriyuki discloses “fitting the thin part 6 of the straight part 1a of the first extruded material 1 in the slit 7 of the bent part 2a of the second extruded material 2.” [Abstract and Figs. 1-5 of Noriyuki.] In Figs. 6-8, Noriyuki shows a central portion of straight member 1 being inserted into a bent member 2, resulting in material extending in two directions from the bend 2a. In Fig. 9, Noriyuki shows a continuous central portion 2a of an uncut bent member 2 being inserted into a straight member 1.

Therefore, with respect to Figs. 1-5, Noriyuki does not teach or suggest inserting an end of a hollow section into a bent hollow section. Noriyuki shows thin part 6, which is spaced from the end of material 1. Furthermore, Noriyuki does not teach or suggest integrally connecting the end with edge regions of the facing ends of the bent hollow section to form a Y-shaped gusset structure. Instead, Noriyuki shows thin part 6 being inserted into the inner peripheral side of the bent part, not being connected with edge regions of the facing ends of the bent part, as claimed by Applicant. The resulting structure in Noriyuki is not Y-shaped; instead, Noriyuki discloses two materials crossing to form a T or cross-like structure.

With respect to Figs. 6-8, Noriyuki does not teach or suggest inserting an end of a hollow section into a bent hollow section. In contrast, Noriyuki shows a central portion of straight member 1 being inserted into a bent member 2. Therefore, Noriyuki does not teach or suggest integrally connecting the end of a hollow section with edge regions of the facing ends of the bent hollow section to form a Y-shaped gusset structure. Instead, a central portion (and not an end portion) of straight member 1 is connected to the bent member in Noriyuki's Figs. 6-8. Furthermore, Noriyuki shows material 1 extending from both directions of the joint. Therefore, Noriyuki does not teach or suggest forming a Y-shaped gusset structure; instead, Noriyuki discloses two materials crossing to form a T or cross-like structure.

With respect to Fig. 9, Noriyuki does not teach or suggest any element of claim 6. Claim 6 requires cutting open a first hollow section along its circumference except for a web situated in a flat side and bending up the first hollow section, which has been partly cut open, around the web positioned in the flat side to form facing ends of the first hollow section and a bending angle. In contrast, the bent structure in Noriyuki's Fig. 9 is continuous. A section has not been removed. Therefore, the bent structure in Noriyuki's Fig. 9 does not have facing ends of a bent hollow section as claimed by Applicant. Furthermore, Noriyuki does not teach or suggest inserting an end

of a hollow section into a bent hollow section. In contrast, in Fig. 9, Noriyuki shows a bent hollow member 2 (without facing ends) being inserted into a central portion cut away from a straight member 1. Finally, Noriyuki does not teach or suggest integrally connecting the end of a hollow section with edge regions of the facing ends of the bent hollow section to form a Y-shaped gusset structure. The bent structure in Noriyuki's Fig. 9 does not have facing ends. Furthermore, because Noriyuki shows material 1 extending from both directions of the joint, the resulting structure in Noriyuki is not Y-shaped. Therefore, Noriyuki does not teach or suggest forming a Y-shaped gusset structure; instead, Noriyuki discloses two materials crossing to form a T or cross-like structure.

In view of the foregoing, Applicant respectfully submits that Noriyuki fails to teach or suggest each and every element of the claimed invention, i.e., as required by independent claim 6 and the claims depending therefrom. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §102(b) be reconsidered and withdrawn.

#### **Rejections Under 35 U.S.C. §103**

Claim 11 was rejected under 35 U.S.C. §103 as allegedly being unpatentable over Noriyuki. The Examiner takes official notice that welding can be done using laser beam technology.

Claim 9 was rejected under 35 U.S.C. §103 as allegedly being unpatentable over Noriyuki in view of Broussard. The Office action asserts that Broussard teaches laser beam cutting.

Applicant respectfully requests that the rejection of claims 9 and 11 under 35 U.S.C. §103 be reconsidered and withdrawn. Applicant respectfully submits that claims 9 and 11 are allowable as depending from allowable base claim 6.

#### **Allowable Subject Matter**

Applicant notes with appreciation Examiner's conclusion that claims 7-8 contain allowable subject matter if rewritten in independent form including all limitations of the base claim and any intervening claims. At this time, Applicant elects to not make this amendment.

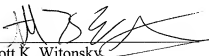
**CONCLUSION**

In view of the foregoing, Applicant respectfully submits that all of the pending claims are in condition for allowance and requests early favorable action. If the Examiner believes a telephonic interview would expedite the prosecution of the present application, the Examiner is welcome to contact Applicant's attorney at the number below.

Respectfully submitted,

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